

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA	)	ORDER DISMISSING CHARGE
	)	
V.	)	
	)	CASE NO. 2:08-mj-27
REYES MATA BUSTAMANTE, JR.	)	

A Complaint, filed April 24, 2008, charged Reyes Mata Bustamante, Jr., with two crimes: possession of firearms/ammunition after felony conviction, and possession of firearms/ammunition by a fugitive from justice.

This Court conducted a preliminary hearing on May 14, 2008, and, at that hearing, this Court found there was probable cause to believe Defendant committed the crime of possession of a firearm and ammunition after felony conviction.

At the preliminary hearing, Defendant asserted there was insufficient legal basis for the "fugitive from justice" charge. The government requested, and was granted, time within which to respond to that position. By letter dated May 15, 2008, the United States acknowledged that evidence on intent to avoid prosecution was insufficient. The United States, in its letter, moved to dismiss that charge.

IT IS ORDERED, that on motion of the United States, the charge of possession of a firearm and ammunition while a fugitive from justice is dismissed.

Dated this 20th day of May, 2008.

/s/ Alice R. Senechal  
Alice R. Senechal  
US Magistrate Judge